

Filed for intro on 02/02/95  
Senate Bill \_\_\_\_\_  
By \_\_\_\_\_

<PrintHouse> Bill No. House No. HB0575  
By Bragg, Sr.

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 86,  
relative to emergency communications districts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 7-86-102, is amended by adding the  
following new subsections:

(d) The general assembly finds that the establishment of a uniform emergency number to shorten the time required for a citizen to request and receive emergency aid is a matter of public interest and concern. The general assembly finds also that the continued viability of the life-saving 911 emergency communications service is of the highest priority for the health and safety of the citizens of Tennessee.

(e) The general assembly finds that the effectiveness of 911 service depends on the ability of emergency service providers to respond to persons requiring emergency assistance; the response by such providers is directly affected by the nature and coverage of the radio communications network available within a community; and the quality of which is often limited by the availability of financial resources in the community.

(f) The general assembly finds that rapid technological advancement in the area of telecommunications has provided the public with wireless and other mobile telecommunications services; subscribers and users of wireless telephone communication systems are enjoying the benefits of 911 service without paying a monthly service charge that is used to fund 911 systems in Tennessee. The general assembly realizes that all users of wireless telephone communication systems should share equally in the benefit of 911 service and should participate in the funding thereof.

SECTION 2. Tennessee Code Annotated, Section 7-86-103, is amended by deleting subdivision (7) in its entirety and substituting instead the following:

(7) "Service supplier" means any person, corporation or entity providing exchange telephone service, cellular telephone service, personal communications service or any other wireless telephone service to any service user;

SECTION 3. Tennessee Code Annotated Section 7-86-103, is amended by adding the following new subdivision:

( ) "Wireless telephone service" is defined as any offering of radio-linked telephone service providing dial tone access to a portable, mobile or fixed location as defined by the Federal Communications Commission for which a charge is levied;

SECTION 4. Tennessee Code Annotated Section 7-86-108(a)(1), is amended by adding the following language at the end of the subdivision:

Cellular telephone, personal communications network, and other wireless telephone service subscribers shall also be subject to the emergency telephone service charge, which shall not exceed \$\_\_\_\_\_ per month. No such service charge shall be levied on the trunks or service lines used to supply service to wireless systems. Such proceeds shall be paid to the Emergency

Communications Districts Management Review Board by the respective telephone companies. The board shall set the rate and use such funds for the primary purposes of funding the board, of establishing minimum levels of emergency communications services for all citizens of Tennessee, for enhancing services to wireless telephone users, and to make grants to improve local service. The board, at its discretion, shall distribute such funds to assist financially distressed emergency communications districts and/or those areas and/or districts that cannot afford basic or enhanced 911 service. Any funds collected pursuant to this section shall not revert to the general fund. Any unspent funds at the end of a fiscal year shall be carried forward to the next fiscal year to be used as a beginning balance for the fiscal requirements for such fiscal year.

SECTION 5. This act shall take effect on July 1, 1995, the public welfare requiring it.

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